

Engl^d. Parliamt. Bill read 7 May 1664.

REASONS for the BILL for more effectual bringing in of Money concealed from His Majesty.

IN the Act of Oblivion are excepted all Moneys, &c. in the hands of any Accountants, Receivers, Collectors, &c.

Provided they be charged at or before 24th of June 1662.

In the Act of vesting those Moneys and Goods in the King, is the same Proviso of charging at or before 24th of June 1662.

And also a Proviso, That those Charges be effectually prosecuted within Twelve Months after.

And thereby the King is impowered to grant Commissions to such Persons as he pleaseth, for the better discovering, levying, receiving, and discharging such Moneys, Goods, &c.

His Majesty hereupon granted a Commission to the Earle of Dorset and others, to hear and determine, or compound upon all Charges, entered by Richard Pight within the time limited by the Act.

On which Charges, above 12000 l. hath been brought in to the King.

But there is 300000 l. charged by Pight before those Commissioners before 24th of June 1662 which could not be effectually prosecuted within Twelve Months after the exhibiting the Charges, by reason of some defects of Power in the Commission, and some Doubts that have been made in the Exchequer concerning the Extent of those Bills.

The Bill desired to pass is to supply that defect of Prosecution, but not to charge any not charged within the Time limited in the Act of Oblivion.

If this Bill pass not, the King must loose all that 300000 l.

For none of these Summes can be charged any where else, *de novo*, without breach of the Act of Oblivion.

But if that Commission, with all the Charges before them, be confirmed by Act, And they be impowered to proceed with effect to discover, levy, receive, and discharge upon the same, notwithstanding the Twelve Months elapsed, those Moneys may be recovered to the King.

Objections.

1. The experiment of great Troubles to the Country, and little Profit to the King by this Commission.

Answers.

No particular Answer can be given to so general and uncertain a Charge.

But onely the general Answer:

That no Body can be troubled by this Commission, but such who have fraudulently concealed the Publique Moneys, &c. 12000 l. hath been brought in by this Commission, and much more might have been, were it not for the restriction in the Act of Vesting, to an effectual prosecution within Twelve Months; which is now prayed to be enlarged.

2. It sets up a Judicatory before the Commissioners.

'Tis to be feared they are to have benefit by their own Judgements.

It is Arbitrary, they being not Sworn.

They may bring in question those that are discharged in the Exchequer.

3. That the Commissioners may choose whether they will certify their Decrees or not.

4. The Accountant cannot Appeal, without depositing or securing the Money.

If the Barons for difficulty determine not within two Terms, no remedy.

5. The words [Moneys Imprested for maimed Souldiers and other publick uses] enlargeth the Exception beyond the Act of Oblivion, which is to be taken most beneficial for the Subject.

6. That the Commissioners have power to Compound, by consent and privy of the Lord Treasurer and Under-Treasurer.

It were fit their former Compositions were enquired into.

7. The Clause of Restraining the power of Accountants discharging themselves upon their Oath, to a particular account exhibited, Repeals the most beneficial part of the Act of Oblivion.

It is as if no other Judicatory then what was by the Statute of Vetting, onely enlarge their time, which was done this Session in the Earl of Cleveland's Bill.

The Commissioners have no share in the benefit.

There may be Provision in this Act, that they be Sworn, and they do proceed by Jurists.

It is not intended hereby to charge any *de novo*, or that have been discharged in the Exchequer.

And it may be so provided, for

It is not desired, otherwise then that they be compellable thereto.

If they should not; the party grieved may Appeal to the Exchequer.

No great favour ought to be shewed to such Accountants.

Nothing is more ordinary then depositing or securing money after Judgement or Decree.

If two terms be not time enough, the Committee may enlarge it.

It is conceived such Moneys were within the intention of that Exception.

Of which in case of difficulty, the Parliament is best Judge.

It is not desired any new Exceptions be made, the former only explained.

They cannot deceive the King, unless the Treasurer and Chancellor joyn in it.

If the Compositions had not been put out of their hands, perhaps the King had received a better account of the Moneys.

It doth not Repeal any branch of that Act, but desire an Explanation of the meaning of it; And 'tis conceived that the meaning of that Favour is, that they shall apply their Oath of discharge to some account certain.

And not Swear in general, that whatever they have received they have paid over, without saying how much, or within what Sum.

If the Parliament shall not think fit to declare the Sense of that Act, the Solicitors of this Bill must rest in their Judgement.